

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

KAYLA THOMPSON
Claimant

APPEAL NO: 20A-UI-03364-JE-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

COMFORT INN
Employer

OC: 03/22/20
Claimant: Respondent (2)

871 IAC 24.9(2) - Nonmonetary determinations
Iowa Code § 96.7 - Employer Liability - Wrong Employer Noticed

STATEMENT OF THE CASE:

The employer filed a timely appeal from a representative's decision dated April 16, 2020, (reference 01). After due notice was issued, a hearing was held on May 13, 2020, before Administrative Law Judge Julie Elder. The claimant did not respond to the hearing notice and did not participate in the hearing. Jennifer Headington, Director of Operations, participated in the hearing on behalf of the employer.

ISSUE:

Whether the claimant worked for this employer.

FINDINGS OF FACT:

The notice of claim was sent to Comfort Inn in Ankeny. That employer's identification number is 287300. Comfort Inn in Ankeny filed a timely protest explaining the claimant did not work for them. A fact-finding interview was held on April 15, 2020, and the fact-finder found the employer liable for benefits. The employer appealed and an appeal hearing was held May 13, 2020. The employer's witness testified the claimant never worked for this employer.

The employer for whom the claimant worked was Comfort Inn on 3rd Avenue in Des Moines, Iowa. Its employer account number is 025428. There was a determination made as to whether the claimant's separation from the correct Comfort Inn, owned by Ackerman Investments, was disqualifying on May 12, 2020, and the claimant was allowed benefits.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant ever worked for this employer. The administrative law judge determines she did not as she worked for Comfort Inn on 3rd Avenue in Des Moines (employer account number 025428) owned by Ackerman Investments. A subsequent fact-finding interview with Ackerman Investments was held May 11, 2020, and the claimant was allowed benefits.

The administrative law judge has reviewed the records and files herein and concludes that the representative's decision shall be reversed without prejudice to either party.

DECISION:

The April 16, 2020, representative's decision (01) is reversed. The claimant did not work for Comfort Inn Ankeny and no benefits shall be charged to employer account number 287300. No disqualification is imposed on the claimant, and no charges shall be made to the account of this employer.



Julie Elder
Administrative Law Judge

May 19, 2020
Decision Dated and Mailed

je/scn